



Department of Environmental Quality

To protect, conserve, and enhance the Quality of Wyoming's environment for the benefit of current and future generations



Matthew H. Mead, Governor

Todd Parfitt, Director

January 7, 2013

CERTIFIED 7011 0470 0000 6510 5220

Sandy Whitaker
Whitaker Oil, Inc.
1325 North Cleveland
Loveland, CO 80537

SUBJ: Notice of Violation Docket Number 5099-13

Dear Mr. Whitaker:

Enclosed you will find a Notice of Violation, Docket Number 5099-13, issued under the provisions of W.S. 35-11-701(c).

On November 14, 2012, Department of Environmental Quality (DEQ) personnel performed an underground storage tank compliance inspection at the Ghost Town Truckstop, located at 6680 North Yellowstone Highway in Casper, Wyoming. The inspection revealed that a dipstick had been left in the fuel drop tube on the premium tank, thereby disabling the ability of the overfill device to operate properly. Failure to have a properly operating overfill device is a violation of Wyoming Water Quality Rules and Regulation, Chapter 17, Section 6(c)(i).

If you would like to resolve this matter through a stipulated settlement without the need to go to District Court, the DEQ is willing to negotiate such a settlement. Please contact Oma Gilbreth at (307) 777-7097 within 30 days of receipt of this letter to arrange a date and time to negotiate a penalty amount.

Todd Parfitt
Director
Department of Environmental Quality

Carl Anderson, PhD
Administrator
Solid and Hazardous Waste Division

TP/CA/KH/OG

Enclosure: Notice of Violation



STATE OF WYOMING

DOCKET NUMBER 5099-13

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:

- Count 1: Disabling an Overfill Prevention Device: [WWQRR, Chapter 17, Section 6(c)(i)].** As the owner and operator of the USTs located at Ghost Town Truck Stop, Whitaker Oil, Inc., violated WWQRR, Chapter 17, Section 6(c)(i), by having a tank dipstick in a fill tube. The tank dipstick would have prevented the butterfly/flapper overfill prevention device from automatically shutting off the flow of fuel into the tank when the tank was at 95% capacity.

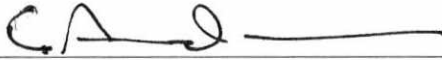
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NOTHING IN THIS NOTICE OF VIOLATION shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this Notice of Violation be interpreted as being a condition precedent to any other enforcement action.

SIGNED this 11th day of JANUARY, 2013.



Todd Parfitt
Director
Department of Environmental Quality



Carl Anderson, PhD
Administrator
Solid and Hazardous Waste Division

PLEASE DIRECT ALL INQUIRES TO: Oma Gilbreth, Storage Tank Program Compliance Supervisor at 122 West 25th Street, Fourth Floor, West Wing, Cheyenne, WY 82002, (307) 777-7097 or (307) 777-5973 FAX for technical matters.

TP/CA/KH/OG